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Notice of Allowability	Application No.	Applicant(s)	
	09/715,694	SHEN, CHING-CHANG	
	Examiner	Art Unit	
	Ronald W Leja	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief of 2/27/04.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 04 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>3/15/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Ronald W Leja
Ronald W Leja
Primary Examiner
Art Unit: 2836

3/17/04

Art Unit: 2836

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

IN THE SPECIFICATION:

On Page 2 of the Specification, line 15, change "Figure 2 is" to -- Figures 2A and 2B are --.

IN THE CLAIMS:

Claim 1, line 8, after "inputs" insert -- to be used for overcurrent protection --.

Claim 11, line 2, change "exceeding said" to -- exceeding --.

Authorization for this Examiner's Amendment was given in a telephone interview with W. Daniel Swayze, Jr. on 3/15/04.

The Prior Art made of record and not relied upon is considered pertinent to Applicant's Disclosure. Mizuno et al. (6,011,416) ; Ueda et al. (5,977,651) ; Fujihira (5,159,516) ; Wrathall (4,553,084).

The following is an Examiner's Statement of Reasons for Allowance: Applicant's arguments found within the Appeal Brief of 2/27/04 have been convincing. The Prior Art of Record, including the newly cited References do not disclose nor suggest the claimed combination found within Independent Claim 1. Mizuno et al. teach an overcurrent protection circuit in Figure 11 for a lamp (L). An argument can be made that a particular load is unimportant to the

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teachings of offering the protection, therefore the load could be a motor. However, the drains of the FETs (17,12) are not "directly coupled" across the comparator as required by the language of instant Claim 1. In fact, the Reference teaches that the sources are "directly coupled" across the comparator. Ueda et al. (5,977,651) teach, in Figure 5, that the "drains" for the FETs are directly coupled across the comparator. However, Figure 5 of Ueda et al. is utilized for providing a constant current to a squib (11) within a vehicle occupant safety circuit; overcurrent protection is not the concern with this portion of the circuit. The position of the Examiner is that there does not appear to be motivation for one to look to a constant current circuit for providing current to a squib and apply the teachings to offer overcurrent protection for a motor being driven. There also does not appear to be strong motivation to apply the teachings of the drains of the FETs being directly coupled across the comparator to the circuit found within Mizuno et al. and then apply the new circuit to a FET conducting a motor current so as to provide overcurrent protection to the motor drive circuit. The only motivation appears to be hind-sight in nature, and thus, Claims 1-13 are considered to be novel and unobvious in view of the Prior Art of Record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions


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should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald W Leja whose telephone number is (571)272-2053. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2800. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ronald W Leja
Primary Examiner
Art Unit 2836

rwl
March 17, 2004

